

ORDINANCE NO. 605

AN ORDINANCE ESTABLISHING THE FAIRVIEW SANITARY SEWER ASSESSMENT DISTRICT, PROVIDING FOR THE CONSTRUCTION AND LAYING OF SANITARY SEWER LATERALS AND SERVICE LINES TO BE LAID TO SERVICE SAID DISTRICT, TOGETHER WITH IMPROVEMENTS NECESSARY AND CONVENIENT THEREWITH, ALL TO SERVICE SAID SEWER DISTRICT WITH SANITARY SEWAGE COLLECTION FACILITIES, ASSESSING THE COST AND EXPENSES THEREOF AGAINST THE REAL PROPERTY BENEFITED THEREBY, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the provisions of Resolution No. 340, passed by the City Council on January 17, 1968, a hearing was held as provided in said resolution on the 31st day of January, 1968 concerning the establishment of the sewer district hereinafter in this ordinance established and providing for the assessing of the costs and expenses thereof against the real property benefited thereby; and

WHEREAS, notice of said hearing was given by posting NOTICE OF PUBLIC HEARING in five public places in the City of Prineville, Oregon on January 18, 1968, said public places being:

1. On the Bulletin Board in the City Hall at 400 E. Third Street
2. On the Bulletin Board in Crook County Court House
3. On a power pole at the SW corner of the intersection of S. E. 5th and Fairview Streets
4. On a power pole at the SE corner of the intersection of S. E. 7th and Fairview Streets
5. On a power pole at the SE corner of the intersection of S. E. 6th and Elm Streets

No objections or remonstrances were made at the hearing concerning the establishment of the sewer district, assessing of the benefits against the real property benefited thereby, nor the means of apportioning the same; and

WHEREAS, the City Council deems it desirable that the sewer district be established and the costs and expenses thereof be assessed against the real property benefited thereby,

NOW THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE, OREGON DO ORDAIN AS FOLLOWS:

Section 1. That a sewer district to be known and designated as the "FAIRVIEW SANITARY SEWER ASSESSMENT DISTRICT" is hereby formed and established to consist of the real property and territory situated in the City of Prineville, Crook County, Oregon, more particularly bounded and described as follows:

Beginning at a point on the existing boundary of the City of Prineville, Oregon, said point being 2,785.4 feet South and 2,639.5 feet East of the Northwest corner of Section 5, Township 15 South, Range 16, EWM, and on the East line of Lot 2, Block 18, Northwest Townsite Addition and 62.7 feet North of the Southeast corner of said Lot 2; thence South 142.7 feet to the South line of S. Fifth Street, thence South 1,113.0 feet, more or less, to a point due East of the Southeast corner of Lot 1, Block 5, Second Fairview Subdivision, as the same is filed and on record in the office of the County Clerk of Crook County, Oregon, thence West 1,831.17 feet, more or less, to a point on the West line of the First Fairview Subdivision, as the same is platted and on file in the office of the County Clerk of Crook County, Oregon; thence North along the West line of said First Fairview Subdivision 1,114.08 feet, more or less, to a point on the South line of South Fifth Street, thence West 857.0 feet, more or less, to a point on the West line of South Main Street; thence North along the West line of South Main Street 142.7 feet, more or less, to a point on the existing City Boundary; thence East 2,670.7 feet, more or less, to the point of beginning.

The above described territory being all of First Fairview Subdivision and Second Fairview Subdivision and the area between the former City Limits and First and Second Fairview Subdivisions.

Section 2. That the City shall cause to be constructed sewer laterals, and cause the same to be laid together with the improvements necessary and expedient for the use, operation and maintenance of the same, and in accordance with the specifications of the City of Prineville and its consulting engineer.

Section 3. That all of the costs and expenses incurred in connection with the laying of the sewer laterals, together with improvements necessary and convenient in connection therewith, engineering fees, advertising, legal and other incidental expenses shall be assessed against the real property benefited thereby as hereinabove described, and shall be apportioned among the building lots not already served by sanitary sewer lines on the basis of the pro rata share that each building lot shall bear to the total cost of construction, with the total cost of construction being divided equally among all the building lots served by the district.

Section 4. The City Council hereby determines that it is necessary and expedient that the provisions of this ordinance go into effect immediately for the preservation of the health, peace and safety of the people of the City of Prineville, for the reason that it is necessary that adequate sewage collection facilities for the sewage from said area be provided in order to prevent and alleviate hazardous health conditions by reason of the disposal of sewage from improper operation of septic tanks.

Now Therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Adopted by the City Council this 14<sup>th</sup> day of February, 1968.

Approved by the Mayor this 14<sup>th</sup> day of February, 1968.

Frances Juris  
Frances Juris, City Recorder

Wallace L. Boe  
Wallace L. Boe, Mayor